

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2684 of 2019

Sanjay Kumar Nayak S/o Parshuram Nayak Vill. and Po- Jakso Jamalpur, Ps.-
Jamalpur, Distt.-Darbhanga

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Rural Works Deptt., Bihar, Patna
2. The Secretary Rural Works Department Bihar, Patna
3. The Chief Engineer (North) Rural Works Department, Muzaffarpur
4. The District Magistrate Darbhanga
5. The Sub-Divisional Magistrate Biraul, Darbhanga
6. The Sub-Divisional Public Grievance Redressal Officer Biraul, Darbhanga
7. The Block Development Officer Block-Kiratpur, Distt.-Darbhanga
8. The Circle Officer Kiratpur, Darbhanga
9. The Junior Engineer Road Construction Department, Darbhanga Circle, Darbhanga
10. Keni Devi alias Nisha Devi W/o Late Shivnath Sahani Ward Member of Ward No. 3, Vill.-Jakso Jamalpur, P.s.-Jamalpur, Distt.-Darbhanga

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Sanjay Kumar Mr. Pankaj Kumar Jha
For the Respondent/s	:	Mr. Kameshwar Prasad Gupta (GP-10) Mr. Ashok Kumar Gupta, AC to GP-10

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 13-02-2019 Heard learned counsel for the parties.

The petitioner has a grievance that over his private land, the Ward Member of Ward No. -3, Village-Jakso Jamalpur in the District of Dharbhanga, is constructing a PCC road and drainage forcibly without adopting any process of acquisition of land.

It seems that the petitioner had approached the Public Grievance Redressal Officer under the Bihar Right to Public



Grievance Redressal Act, 2015, raising his plea giving rise to Case No. 513310122091802691. The said case has been disposed of by order dated 21.12.2018 whereby the case has been dropped with an observation that measurement of the land, in question, was needed. The petitioner has been advised by the said order to approach Anchal Office for lodging a measurement case since the measurement of the land was required.

Learned counsel, appearing on on behalf of the petitioner, has submitted that the Revenue *Karmchari*, in his report dated 23.11.2018, upon inquiry, has found the land appertaining to *Khata* No. 1189, *Khesra* No. 1951 to be private land of the petitioner. The Public Grievance Redressal Officer ought to have taken into account the said report of the Revenue *Karmchari* for passing appropriate order.

If the petitioner is aggrieved by the order of the Public Grievance Redressal Officer, he has a remedy of appeal under the Bihar Right to Public Grievance Redressal Act, 2015 (in short 'the Act') , before the District Magistrate, which he can avail.

On the basis of what has been argued on behalf of the petitioner and what has been pleaded in the writ petition, it can be easily culled out that the only thing, which the authorities



under the Act, are required to examine is, 'whether the land over which the construction of PCC road is being made is private land of the petitioner or not'.

The Court expects that instead of relegating the petitioner to other authorities, the competent authority under the Act, would take a final decision in this regard.

This application stands disposed of with the observation, as above.

(Chakradhari Sharan Singh, J)

Ashish/-

U			
---	--	--	--

